



JC14 Re PCT/PTO 22 MAR 2005

10/528779

COLLISON & CO

1877 125 2002



Your Ref:

Please quote our reference

Our Ref: 54035PCT KMC:TJC

23 June 2004

THE COMMISSIONER OF PATENTS

WODEN ACT 2606

Sir

**RE: PCT Patent Application No. PCT/AU2003/001252
APPARATUS AND METHOD FOR COMPOSTING
WASTE WITH RECIRCULATION OF AIR AND
GASEOUS MATERIALS AND COLLECTION OF LIQUID
C S ASSOCIATED PTY LTD**

Geoff E. Habel ¹
Dip.Mech.Eng.,
M.I.E. Aust., C.P. Eng.

Howard K. Schultze ¹
B.Tech. (Elec.)
Notary Public

John M. O'Mahoney ¹
B.Sc. (Chem.)

Dr. Donald I. Angus ²
B.Sc. (Hons)
Ph.D. (Medicinal
Organic Chemistry)

Assisted by:

Anthony J. Norris ²
B.Mgmt. (Hons)

Phillip A. Boehm
B.Mech. Eng. (Hons)

Kevin McNamara
B.E. (Elec. & Electronic)
MBA

¹ Registered Patent &
Trade Marks Attorney in
Australia and New Zealand,
Fellow of the Institute of
Patent and Trade Mark
Attorneys of Australia.

² Registered Trade Marks
Attorney in Australia.

We thank the Examiner for the first Written Opinion on the abovementioned PCT Patent Application.

In reply we provide amended claims with the features of claims 2 and 3 being incorporated into claim 1 to ensure that claim 1 is novel with respect to the cited document.

The Examiner contends that claim 21 and hence claim 22 are not novel when compared to citation D1. However, there is no mention in D1 of the collecting of liquid produced during the composting from a chamber positioned below the level of the composting material. We would maintain that this integer is sufficient to establish the novelty of claim 21 and claim 22.

On the issue of inventive step the Examiner maintains that the addition of the sump, and the floor means to support the composting material above the sump, are mere "workshop improvements".

However, the Examiner cites no authority to indicate that the use of such sumps is common general knowledge within the composting industry. Such sumps are not taught in any of the cited documents. Accordingly, we maintain that the sump is inventive when compared with the cited documents and the common general knowledge in the field.

fileserver:Files:54035PCT CS ASSOCIATED:Response to Written Opinion
Patent and Trade Mark Attorneys

117 King William Street Adelaide South Australia 5000 GPO Box 2556 Adelaide South Australia 5001 ABN 78 665 731 637
Telephone (+61 8) 8212 3133 Facsimile (+61 8) 8231 1273 Website www.collison.com.au Email collison@collison.com.au

The Examiner further contends that the features added by the remaining claims are not novel when compared with D1. However, there is no disclosure in D1 of a "pump means to pump liquid from the lowermost area to disperse over the top of the material to be composted" as in claim 7.

There is no disclosure of "means with which to access the liquid in the sump from outside the container", as in claim 8.

In fact there is no mention in D1 of the liquid result of decomposition or of any method of dealing with this. However, all of the method claims 10 to 16 include reference to such liquid. These features relating to the processing of the liquid results of decomposition are clearly novel and inventive when compared with D1 and the common general knowledge.

We believe that the above establishes that the amended claims are indeed novel and inventive when compared with the cited documents and the common general knowledge.

Accordingly, we would request that a clear Written Opinion be issued.

Yours faithfully
COLLISON & CO

KEVIN MCNAMARA

Enc 1. Amended Claims

STATEMENT OF AMENDMENTS

CLAIMS

1. Cancel pages 8 to 11 inclusive including claims 1 to 23 and substitute in place thereof new pages 8 to 11 inclusive including claims 1 to 21 attached hereto.